

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

FILED

September 06, 2023
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY: NM
DEPUTY

ARTURO GAITAN

Plaintiff

v.

LINDA MOLINA, et. al.

Defendants

CIVIL NO. SA-22-CV-882-OLG

ORDER ACCEPTING MAGISTRATE JUDGE'S RECOMMENDATION

On this date the Court considered the report and recommendation of United States Magistrate Judge Richard B. Farrer, filed in the above-styled and numbered cause on August 15, 2023. Docket no. 17. The parties were served with a copy of the recommendation, and no objections have been filed.¹ Where no party has objected to the Magistrate Judge's recommendation, the Court need not conduct a de novo review. Instead, the Court need only review the recommendation and determine whether it is either clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir.), *cert. denied*, 492 U.S. 918 (1989).

The Court has reviewed the recommendation and the findings and conclusions therein are neither clearly erroneous nor contrary to law. It is therefore ORDERED that the recommendation of United States Magistrate Judge Richard B. Farrer, filed

¹ A party desiring to object to a magistrate judge's findings and recommendations must file and serve written objections within 14 days after being served with the recommendations. 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b)(2). Service is made to the last known address of the party or his attorney, and service by mail is complete upon mailing. FED. R. CIV. P. 5(b).

in this cause on August 15, 2023, is hereby ACCEPTED pursuant to 28 U.S.C. § 636(b)(1). It is further ORDERED that all claims asserted in Plaintiff's complaint are DISMISSED pursuant to 29 U.S.C. § 1915(e) for the reasons stated in the recommendation.² This case may be CLOSED.

SIGNED on the 6 day of September, 2023.

A handwritten signature in blue ink, appearing to read "Orlando L. Garcia", is written above a horizontal line.

ORLANDO L. GARCIA
UNITED STATES DISTRICT JUDGE

²The arguments raised in Defendants' motion to dismiss (docket no. 10) are moot, as it is not necessary to reach them.